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DOCKET NO.: E0295.70041US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ishay Kedem  
Serial No: 10/809,173  
Confirmation. No.: 7774  
Filed: March 24, 2004  
For: METHOD AND APPARATUS FOR MANAGING THE DYNAMIC  
ASSIGNMENT OF RESOURCES IN A DATA STORAGE SYSTEM  
Examiner: Not yet assigned  
Art Unit: 2186

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6<sup>th</sup> day of July, 2004.

Donna V. Reed  
Donna V. Reed

**Mail Stop Amendment**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited reference
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Ishay Kedem, Applicant*

By: Melissa Beede  
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Telephone: (617)720-3500

Docket No. E0295.70041US01  
Date: July 6, 2004  
xNDDx



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**STATEMENT FILED PURSUANT TO THE DUTY OF**  
**DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

**PART III: Remarks**

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Ishay Kedem, Applicant*

By: *Melissa Beede*

Melissa A. Beede, Reg. No. 54,986  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
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Telephone: (617) 720-3500

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**XNDDX**



FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 10/809,173	ATTY. DOCKET NO.: E0295.70041US01
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		FILING DATE: March 24, 2004	CONFIRMATION NO.: 7774
		APPLICANT: Ishay Kedem	
Sheet	1	of 1	GROUP ART UNIT: 2186 EXAMINER: Not yet assigned

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
1	*5,493,649			Slivka et al.	02-20-1996
2	*5,790,775			Marks et al.	08-04-1998
3	*5,799,304			Miller	08-25-1998
4	*5,819,310			Vishlitzky et al.	10-06-1998
5	*5,864,837			Maimone	01-26-1999
6	*5,950,230			Islam	09-07-1999
7	*5,953,351			Hicks	09-14-1999
8	*6,073,218			DeKoning et al.	06-06-2000
9	6,725,331	B1		Kedem	04-20-2004

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			

#### OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/004,105 , filed January 7, 1998 , now issued as Patent No. 6,725,331 on April 20, 2004 and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]